

From: [Stefanie Mazzola](#)
To: [Thomas J. White](#)
Cc: [Laura A. Litz](#); [SHKlaw@kremen.us](#) (Other); [Stanley Kremen](#) (Work); [Keith Altman](#); [Solomon Radner, Esq.](#); [Lori Crusselle](#); [Fortenberry, Jason](#); [Barnes, Jonathan](#)
Subject: RE: Trutek Corp. v. Yeong Wan Cho, et al.
Date: Monday, August 21, 2023 10:30:10 AM
Attachments: [image001.png](#)

CAUTION - EXTERNAL EMAIL

Good Morning Mr. White

Thank you for your response and your feedback; both are greatly appreciated. As we were only notified on August 1, 2023 that Mr. Abdul Gaffar was/is deceased, we have decided to continue with the filing of our motion. Hope you have a great rest of your day!

Yours,



Stefanie Mazzola
Litigation Paralegal
Direct Phone: (947) 207-1517
Firm Phone: (248) 987-8929
<http://www.kaltmanlaw.com>

From: Thomas J. White
<TWhite@lclaw.com>
Sent: Monday, August 21, 2023 9:52 AM
To: Stefanie Mazzola

<Stefaniamazzola@kaltmanlaw.com>

Cc: [Laura A. Litz](#) <llitz@lclaw.com>; [SHKlaw@kremen.us](#) (Other) <SHKlaw@kremen.us>; [Stanley Kremen](#) (Work) <shk@shk-dplc.com>; [Keith Altman](#) <keithaltman@kaltmanlaw.com>; [Solomon Radner, Esq.](#) <solomonradner@kaltmanlaw.com>; [Lori Crusselle](#) <loricrusselle@kaltmanlaw.com>; [Jason Fortenberry](#) (Other) <jfortenberry@bradley.com>; [Barnes, Jonathan](#) <jbarnes@bradley.com>

Subject: RE: Trutek Corp. v. Yeong Wan Cho, et al.

Dear Stefanie,

Thank you for your email and seeking to confer about the suggestion of death and motion to substitute related to Dr. Gaffar.

Unfortunately, I do not believe I am able to consent. Substitution does not seem to be procedurally proper under Federal Rule of Civil Procedure 25, which authorizes the substitution of a party that was alive at the time the lawsuit was filed, not when the party was deceased prior the lawsuit. It is my understanding that Dr. Gaffar died months before this lawsuit was filed.

An alternative procedural mechanism to remove Dr. Gaffar from the lawsuit and/or add a different party might be to amend the Complaint as a matter of right under Federal Rule of Civil Procedure 15(a)(1)(A). That could be done quickly and efficiently without the parties' consent or motion practice.

If you amend the complaint as a matter of right, I am happy to ask the new party whether it will agree to accept or waive service of process.

Thanks,

Tom

Thomas J. White, Esq.

Associate

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EXHIBIT

A

From: Stefanie Mazzola <Stefaniemazzola@kaltmanlaw.com>

Sent: Friday, August 18, 2023 12:48 PM

To: Thomas J. White <TWhite@lclaw.com>

Cc: Laura A. Litz <llitz@lclaw.com>; SHKlaw@kremen.us (Other) <SHKlaw@kremen.us>; Stanley Kremen (Work) <shk@shk-dplc.com>; Keith Altman <keithaltman@kaltmanlaw.com>; Solomon Radner, Esq. <solomonradner@kaltmanlaw.com>; Lori Crusselle <loricrusselle@kaltmanlaw.com>; Jason Fortenberry (Other) <jfortenberry@bradley.com>; Barnes, Jonathan <jbarnes@bradley.com>

Subject: RE: Trutek Corp. v. Yeong Wan Cho, et al.

Good Afternoon Mr. White

Thank you for your prompt response and I apologize for the delay in mine. I have noted the correct spelling of Mr. Barnes's email address, my apologies for that as well. As for the passing of Dr. Abdul Gaffar, our firm has prepared a Suggestion of Death and Motion for Substitution of Party to be filed by Monday. Please advise if we have your consent.

Yours,



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